

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In re:

ALESSANDRO CIACCIO

and

TINA B. CIACCIO

Debtors.

Case No.: 02-85541-SSM
Chapter 7

BRANCH BANKING AND TRUST COMPANY

Plaintiff,

v.

Adv. Proc. No.:03-1059

ALESSANDRO CIACCIO

3614 Sprucedale Drive
Annandale, VA 22003

and

TINA B. CIACCIO

3614 Sprucedale Drive
Annandale, VA 22003

Defendants.

PLAINTIFF'S ANSWERS TO DEFENDANTS' SECOND SET OF INTERROGATORIES

Comes now Plaintiff, Branch Banking and Trust Company, ("BB&T") and provides the following responses to Defendants' Second set of Interrogatories:

1. Explain with particularity the reasons for and circumstances surrounding the termination of employment of Sana Joseph from Plaintiff, including the date of such termination.

RESPONSE:

BB&T objects to this Interrogatory number 1 in that it is not likely to lead to the discovery of admissible evidence. As set forth in Plaintiff's objections to Defendants' Second Request for Production of Documents, and since objecting to Defendants' Second Set of Interrogatories, BB&T has discovered that Ms. Joseph's departure from the Bank did not result from the transaction between Mediterraneo, Inc. and BB&T. Further, BB&T has discovered that Ms. Joseph's only role in this transaction was to refer the loan from the broker, Mr. Robert Lee, to Ms. Jerlina Nguyen. She did not have any further involvement with the loan application process or its approval. Therefore, the circumstances surrounding her departure from the Bank is not likely to lead to the discovery of admissible evidence, and is comprised of confidential information.

2. Explain with particularity the basis for the “RCO/SCO Comments” on the “NHR AlaRM REVIEW” dated 7/02 (attached hereto as Exhibit A), specifically the basis for the comment that “Quality/Accuracy of financial are suspect in hindsight because loan was referred by Sana Joseph and apparently came from a broker.” Include in your response detailed descriptions of any other loans handled by Sana Joseph for which an NHR AlaRM Review was generated.

RESPONSE:

BB&T objects to this Interrogatory number 2 as set out in detail in its Objections to Defendant’s First Interrogatories. Without waiving its objections, BB&T provides the following response. Mr. William Ziegler assisted in answering this Interrogatory, and the response is to be deemed his individual opinion and not the opinion of Branch Banking and Trust Company.

Mr. Ziegler discovered that the loan to Mediterraneo, Inc. came to the Bank from a broker. Ms. Sana Joseph referred the loan request to a Virginia loan officer, Ms. Jerlina Nguyen. It is Mr. Ziegler’s opinion that most loans made by brokers are generally made to lower quality borrowers and the financial information is generally of lower quality than those of bank-made loans. It is this general opinion that caused Mr. Ziegler to write that the loan was suspect, after Mediterraneo, Inc. defaulted on its payment obligations.

3. Explain with particularity the reasons for and circumstances surrounding the termination of employment of Jerlina Nguyen from Plaintiff, including the date of such termination.

RESPONSE:

Ms. Nguyen was not terminated by BB&T. Ms. Nguyen left the Bank on her own volition on or about December 31, 2002.

4. Identify with particularity all loans issued by BB&T that were generated by, referred by, or originated from Pinetree Mortgage, Capital Home Funding, and/or Robert Lee from January 1997 through the present, including but not limited to loans made to D&M Trucking, and state the current status of those loans.

RESPONSE:

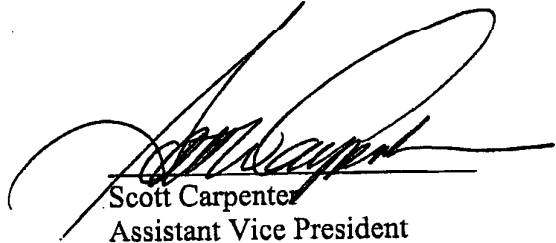
BB&T objects to this Interrogatory number 4 as set out in detail in its Objections to Defendant's Interrogatories.

5. State whether or not BB&T currently accepts loan applications originated by Pinetree Mortgage, Capital Home Funding, and/or Robert Lee and, if not, explain why.

RESPONSE: BB&T objects to this Interrogatory number 5 as set out in detail in its Objections to Defendant's Interrogatories.

VERIFICATION

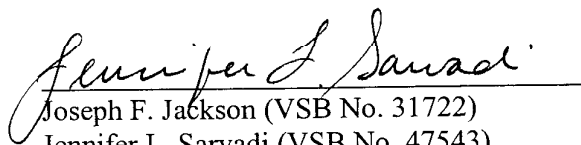
I am authorized to sign the foregoing revised responses to Defendants' Second Set of Interrogatories on behalf of Branch Banking and Trust Company, and I represent that the information contained herein is true and correct to the best of my knowledge, information and belief.



Scott Carpenter
Assistant Vice President
Branch Banking and Trust Company

Respectfully Submitted,

BRANCH BANKING AND TRUST COMPANY
BY COUNSEL



Joseph F. Jackson (VSB No. 31722)

Jennifer L. Sarvadi (VSB No. 47543)

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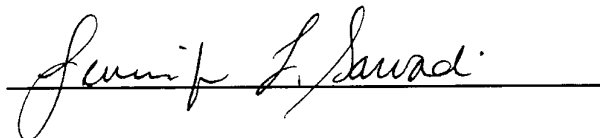
Counsel for Branch Banking and Trust Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of Plaintiff's Answers to Interrogatories was sent by facsimile and mailed, postage prepaid to:

Russell Adams
Chung & Press, P.C.
6723 Whittier Avenue
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703-734-0590
Counsel for Defendants

this 18th day of June, 2003.



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